

REMARKS

Applicant is resubmitting herewith a copy of the drawing correction to Fig. 8, submitted with the Request for Drawing Amendment dated March 15, 2002. Applicant does not understand why a copy thereof was not received by the Examiner, since The receipt card indicated that it was submitted. A copy of the receipt card, listing a "marked-up Fig. 8," and bearing a PTO receipt stamp, is also enclosed.

Applicant respectfully traverses the § 102(b) rejection of claim 1 over Isono '882. In the present invention, as recited, e.g., in amended claim 1, among other things, a flow control device controls flow of a working fluid between a fluid pressure cylinder and a working fluid source based on a working state of the fluid pressure cylinder, i.e., based on fluid pressure in the front pressurizing chamber in a master cylinder, which is connected to the brake cylinder, permitting flow of the working fluid in certain circumstances, and preventing flow in other circumstances. Claim 1 has been amended to more clearly reflect this aspect of the invention.

In contrast, Isono '882 discloses pressurizing chambers 88 and 98. A flow control device 256 is provided between chambers 88, 98, and a reservoir 120. Device 256 includes pressure-increasing and pressure-reducing valves 258 and 260, respectively, controlled so as to control pressure in pressurizing chamber 88 based on a brake stroke. Ports 112, 114, 116, and 118 are provided in chambers 88 and 98 in communication with reservoir 120 when pistons 80 and 82 are fully retracted. While the ports are open, even if a solenoid-operated valve 264 (disposed between chambers 88 and solenoid valve 255, 260) is closed, working fluid in chamber 88 flows through the ports. Therefore, valve 264 of Isono '882 does not prevent flow of the working fluid from the pressurizing chamber 88, 98 to the reservoir 120, because the fluid still flowing

through the ports, and Isono '882 therefore does not disclose nor suggest at least this feature of the present invention as recited, e.g., in claim 1.

Applicant also respectfully traverses the § 103(a) rejection of claim 2 and its dependent claims over Isono '882 and Isono '881. Claim 2 recites, among other things, a first-fill device provided between a first pressurizing chamber in the master cylinder and a working fluid source, the first-fill device preventing flow of a working fluid to the working fluid source if a fluid pressure in the first pressurizing chamber is lower than a predetermined value, and permits flow if the fluid pressure in the first pressurizing chamber is higher than the predetermined value, and a mode of the first-fill device is selected between an enabled mode and a disabled mode.

In contrast, Isono '882 discloses an orifice 278 provided in a fluid passage 276, connecting an annular chamber 96 in the master cylinder and the reservoir 120, and a check valve 282 provided in a bypass passage 280 bypassing the orifice 278. Orifice 278 controls the flow amount only by forming a small-radius passage. Check valve 282 permits flow from the reservoir to the annular chamber and only prevents flow in the other direction, it does not control flow of the working fluid based on the fluid pressure in the first pressurizing chamber in the master cylinder.

Isono '881 does not provide this missing feature. Isono '881 discloses a cut-off valve 262 between an annular chamber 50 and a reservoir 58. Valve 262 is controlled based on one of a brake operation force and fluid pressure in the master cylinder. Col. 27, lines 36-41. However, annular chamber 50 is not connected to the brake cylinder. Hence, combining Isono '881 with Isono '882 would result in a structure very different from that recited in claim 2, and still would lack the above-described feature of claim 2.

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The same remarks apply to the rejection of claims 17-20.

Applicant respectfully traverses the § 103(a) rejection of claim 7. Amended claim 7 recites, among other things, that a flow preventing device is provided between the master cylinder and a low pressure working source, preventing flow of a working fluid from a front pressurizing chamber to the lower pressure working source if a fluid pressure in the front pressurizing chamber is high relative to an operation of a brake operating member. At least this feature is not suggested by Isono '882, because even when Isono's valve 264 is closed, working fluid in pressurizing chamber 88 flows to reservoir 120 through the ports, so at least this feature is not suggested by Isono.

Applicant respectfully traverses the § 102(b) rejection of claim 12 over Isono 882.

Amended claim 12 recites that a pressure control valve between the master cylinder and a low pressure working fluid source prevents flow of the working fluid from the front pressurizing chamber to the low pressure working fluid source if the fluid pressure in the front pressurizing chamber is higher than a predetermined value.

Isono, in contrast, discloses a regulator 436 in a passage connected with reservoir 120, an accumulator 182, and an assisting chamber 378, and the regulator 436 regulate the pull of fluid flowing therebetween. Unlike the claimed invention, however, regulator 436 only selects whether assisting chamber 378 is connected to the reservoir 120 or to the accumulator 182. In addition, since assisting chamber 378 is not connected to the brake cylinder, the structure differs from the claimed pressurizing chamber even when it than connects to reservoir 120. Isono does not disclose that flow from the pressurizing chamber to the reservoir is prevented based on fluid pressure in the pressurizing chamber.

Applicant respectfully traverses the § 102(b) rejection of method claim 16 for the same reasons set forth above with respect to apparatus claim 1.

Applicant cannot understand the objection to claim 15 as allegedly being dependent on a rejected base claim. Claim 15 is an independent claim, and hence should be allowable in view of the Examiner's indication of allowable subject matter therein.

Applicant appreciates the indication of allowable subject matter in claims 5, 7, 8, 10, and 13-14, but believes that it is premature to amend these claims to be independent claims, at least until the Examiner considers the above amendments and remarks.


In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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